

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

ELTON W. MARTIN

CIVIL ACTION NO. 06-209-P

VERSUS

JUDGE S. MAURICE HICKS, JR.

WARDEN TIM WILKINSON

MAGISTRATE JUDGE HORNSBY

JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, and noting the lack of written objections filed by Petitioner and determining that the findings are correct under the applicable law;

IT IS ORDERED that Petitioner's petition is **DISMISSED WITHOUT PREJUDICE**, for failure to prosecute, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

THUS DONE AND SIGNED, in chambers, in Shreveport, Louisiana, on this 26th day of July, 2006.



S. MAURICE HICKS, JR.
UNITED STATES DISTRICT JUDGE